

CADES SCHUTTE LLP
A Limited Liability Law Partnership

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Attorneys for Defendants
MAUI LAND & PINEAPPLE
COMPANY, INC. and KAPALUA
LAND COMPANY, LTD.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SCOTTSDALE INSURANCE
COMPANY,

Plaintiff,

vs.

SULLIVAN PROPERTIES, INC.;
ROBERT B. SULLIVAN; MAUI
LAND & PINEAPPLE COMPANY,
INC.; AND KAPALUA LAND
COMPANY, LTD.,

Defendants.

CIVIL NO. CV04-00550 HG/BMK
(Declaratory Relief)

DEFENDANTS MAUI LAND &
PINEAPPLE COMPANY, INC.'S AND
KAPALUA LAND COMPANY, LTD.'S
STATEMENT OF NO POSITION RE
PLAINTIFF SCOTTSDALE INSURANCE
COMPANY'S MOTION FOR PARTIAL
SUMMARY JUDGMENT RE:
REIMBURSEMENT CLAIM FILED,
DECEMBER 1, 2006; CERTIFICATE OF
SERVICE

HEARING:

Date: January 8, 2007

Time: 9:45 a.m.

Judge: Honorable Helen Gillmor

DEFENDANTS MAUI LAND & PINEAPPLE COMPANY, INC.'S
AND KAPALUA LAND COMPANY, LTD.'S STATEMENT OF
NO POSITION RE PLAINTIFF SCOTTSDALE INSURANCE
COMPANY'S MOTION FOR PARTIAL SUMMARY JUDGMENT
RE: REIMBURSEMENT CLAIM FILED, DECEMBER 1, 2006

Defendants MAUI LAND & PINEAPPLE COMPANY, INC. and
KAPALUA LAND COMPANY, LTD., by and through their attorneys, Cades
Schutte A Limited Liability Law Partnership, states that it takes no position with
regard to Plaintiff Scottsdale Insurance Company's Motion for Summary Judgment
Re: Reimbursement Claim, filed December 1, 2006, based on the information
presented and currently available.

DATED: Honolulu, Hawaii, December 18, 2006.

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